

Tony Nguyen v. South Carolina Electric & Gas
Company

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2007 - 458 -E

(Please type or print)

Submitted by: K. Chad BurgessSC Bar Number: 69456Address: SCANA Corp.Telephone: 803-217-81411426 Main Street MC 130Fax: 803-217-7931Columbia, SC 29201

Other: _____

Email: chad.burgess@scana.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: _____

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input checked="" type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	



K. Chad Burgess
Senior Counsel

chad.burgess@scana.com

February 1, 2008

VIA HAND DELIVERY

The Honorable Charles Terreni
Chief Clerk Administrator
Public Service Commission of South Carolina
101 Executive Center Drive (29210)
Post Office Drawer 11649
Columbia, South Carolina 29211

RECEIVED
2008 FEB -1 PM 2:52
SC PUBLIC SERVICE
COMMISSION

Re: Tony Van Nguyen v. South Carolina Electric & Gas Company
Docket No. 2007-458-E

Dear Mr. Terreni:

Enclosed for filing is the original and one (1) copy of the Answer of South Carolina Electric & Gas Company ("SCE&G") to the complaint in the above-captioned matter. Please acknowledge your receipt of this document by file-stamping the extra copy that is enclosed and returning it to us via our courier.

By copy of this letter we are serving a copy of the Answer upon Complainant/Petitioner Tony Van Nguyen as well as counsel for the South Carolina Office of Regulatory Staff and enclose a certificate of service to that effect.

If you have any questions, please advise.

Very truly yours,

K. Chad Burgess

KCB/kms
Enclosures

cc: Tony Van Nguyen
Shealy Boland Reibold, Esquire
(via first-class mail w/ enclosures)

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2007-458-E

RECEIVED
2008 FEB -1 PM 3:52
SC PUBLIC SERVICE
COMMISSION

IN RE:)
)
Tony Nguyen,)
)
Complainant/Petitioner,)
)
v.)
)
South Carolina Electric & Gas Company,)
)
Defendant/Respondent.)
_____)

**ANSWER OF SOUTH CAROLINA
ELECTRIC & GAS COMPANY**

Pursuant to 26 S.C. Code Ann. Regs. 103-826 (1976, as amended), 103-830 (1976, as amended) and applicable South Carolina law and in compliance with the Notice issued by the Chief Clerk & Administrator of the Public Service Commission of South Carolina ("Commission") dated January 4, 2008, South Carolina Electric & Gas Company ("SCE&G") answers the complaint of the above-named as follows:

FOR A FIRST DEFENSE

1. SCE&G denies each and every allegation of the complaint except as hereinafter admitted.

FOR A SECOND DEFENSE

2. As to the first unnumbered paragraph, SCE&G is without sufficient information to form a belief as to the truth or falsity of the allegations concerning the age of the Complainant's nephew (or niece), whether such nephew (or niece) has any boyfriends, or the

presence or absence of a television, washer, dryer, or any other appliance at any point in time. SCE&G is without sufficient information to form a belief as to the truth or falsity of the allegation of the presence of children at the premises. Upon information and belief, SCE&G admits so much of this unnumbered first paragraph as Complainant is responsible for paying the bills for the account located at the premises in question. SCE&G admits so much of this unnumbered first paragraph as alleges that the electric charge for the period of June 6-28 was \$274.12, that the electric charge for the period of June 28-July 30 was \$545.42, and that the electric charge for the period of July 30-August 28 was \$197.15. To the extent an additional response is required, any other allegation set forth therein is denied.

3. As to the second unnumbered paragraph, SCE&G admits so much of this unnumbered second paragraph as alleges that Complainant contacted SCE&G by telephone, that Complainant visited SCE&G's office in Aiken, and that SCE&G advised Complainant to have the appliances in the residence checked. SCE&G is without sufficient information to form a belief as to the truth or falsity of the allegation concerning the presence or absence of problems with the appliances. To the extent an additional response is required, any other allegation set forth therein is denied.

4. As to the third unnumbered paragraph, SCE&G is without sufficient information to form a belief as to the truth or falsity of the allegations concerning the condition of the air conditioning unit at the premises, the energy consumption of the air conditioning, or the blame assigned to the air conditioning unit for the amount of the electric bill. SCE&G is without sufficient information to form a belief as to the truth or falsity of the allegations concerning comments or statements from any air conditioning "pro" to Complainant. SCE&G admits so much of this unnumbered third paragraph as alleges that SCE&G went to the premises, read the

meter, and sent the meter to a laboratory for testing and informed Complainant that the meter was operating properly. To the extent an additional response is required, any other allegation set forth therein is denied.

5. As to the fourth unnumbered paragraph, SCE&G is without sufficient information to form a belief as to the truth or falsity of the allegation concerning Complainant's actions. SCE&G admits so much of this unnumbered fourth paragraph as alleges that SCE&G did its part and found no problem with any SCE&G equipment or service. To the extent an additional response is required, any other allegation set forth therein is denied.

6. As to the fifth unnumbered paragraph, no allegations are made and no response is required. To the extent a response is required, any allegation set forth therein is denied.

7. As to the postscript, SCE&G admits so much that alleges that Complainant paid the outstanding statements, that late fees were charged for unpaid balances owed, and that electric service can be terminated for a failure to timely pay outstanding charges. SCE&G denies the remaining allegations in the postscript.


FOR A THIRD DEFENSE

8. The Complaint fails to state a claim for which the Commission has jurisdiction and authority, and thus this case should be dismissed.

WHEREFORE, having fully set forth its Answer, SCE&G respectfully requests that the Commission issue an order (i) dismissing the complaint with prejudice and (ii) granting such other and further relief as is just and proper.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,



Catherine D. Taylor, Esquire
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Facsimile: 803-217-7931
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Attorney for Defendant/Respondent
South Carolina Electric & Gas Company

Columbia, South Carolina
February 1, 2008

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2007-458-E

IN RE:

Tony Van Nguyen,

Complainant/Petitioner,

v.

South Carolina Electric & Gas Company,

Defendant/Respondent.

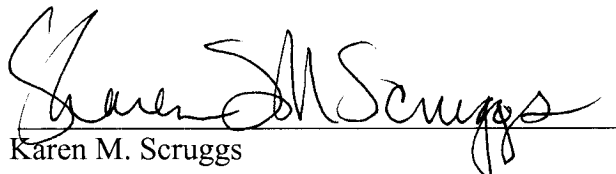
**CERTIFICATE
OF SERVICE**

RECEIVED
2008 FEB - 1 PM 3:52
**SC PUBLIC SERVICE
COMMISSION**

This is the certify that I have caused to be served this day one (1) copy of South Carolina Electric & Gas Company's **Answer** via U.S. Mail to the persons below at the addresses set forth:

Tony Van Nguyen
210 New Haven Land
Aiken, South Carolina 29803

Shealy Boland Reibold, Esquire
Office of Regulatory Staff
Post Office Box 11263
Columbia, South Carolina 29211


Karen M. Scruggs

Columbia, South Carolina
This 1st day of February 2008